

REMARKS

I. Status of the Claims

Claims 1-31 were filed with the original application, and claims 2-6 and 21-31 have now been canceled. New claims 32-36 have been added. Claims 1, 7-10, 18-20 and 32-34 are under consideration and stand rejected under 35 U.S.C. §112, first and second paragraphs, and §102. The specific grounds for rejection, along with applicant's response thereto, are set out in detail below.

II. Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1, 7-10, 18-20, 32, and 33 stand rejected as allegedly indefinite. Applicant traverses the rejections and files a Notice of Appeal in response thereto.

III. Rejection Under 35 U.S.C. §112, First Paragraph

Claims 1, 7-10, 18-20, 32 and 33 stand rejected under §112, first paragraph, as lacking an adequate written description of the invention. Applicant traverses the rejection and files a Notice of Appeal in response thereto.

IV. Rejections Under 35 U.S.C. §102

A. *Urban et al.*

Claims 1, 7-10, 18-20, 32 and 33 stand rejected as anticipated under §102(b) by WO 94/04171 to Urban *et al.* The examiner makes only a general allegation that the disclosed composition "appears to be identical or so similar that [it] is indistinguishable" from that which is now claimed. Applicant traverses, but in the interest of advancing the prosecution, the claims

have been amended as suggested by the examiner to recite “distinct” allotypes. Reconsideration and withdrawal of the rejection is therefor requested.

B. Stott et al.

Claims 1, 7-10, and 20 stand rejected as anticipated under §102(b) by WO 93/14126 to Stott *et al.* The examiner makes only a general allegation that the disclosed composition “appears to be identical or so similar that [it] is indistinguishable” from that which is now claimed. Applicant traverses, but in the interest of advancing the prosecution, the claims have been amended as suggested by the examiner to recite “distinct” allotypes. Reconsideration and withdrawal of the rejection is therefor requested.

C. Irie et al

Claims 1, 7-10, and 20 stand rejected as anticipated under §102(b) by U.S. Patent 4,557,931 to Irie *et al.* The examiner makes only a general allegation that the disclosed composition “appears to be identical or so similar that [it] is indistinguishable” from that which is now claimed. Applicant traverses, but in the interest of advancing the prosecution, the claims have been amended as suggested by the examiner to recite “distinct” allotypes. Reconsideration and withdrawal of the rejection is therefor requested.

D. Pietropaolo et al.

Claims 1, 7-10, and 20 stand rejected as anticipated under §102(e) by U.S. Patent 5,891,437 to Pietropaolo *et al.* The examiner makes only a general allegation that the disclosed composition “appears to be identical or so similar that [it] is indistinguishable” from that which

is now claimed. Applicant traverses, but in the interest of advancing the prosecution, the claims have been amended as suggested by the examiner to recite "distinct" allotypes. Reconsideration and withdrawal of the rejection is therefor requested.

E. Ravindranath et al.

Claims 1, 7-10, 18-20, 32 and 33 stand rejected as anticipated under §102(e) by U.S. Patent 6,218,166 to Ravindranath *et al.* The examiner makes only a general allegation that the disclosed composition "appears to be identical or so similar that [it] is indistinguishable" from that which is now claimed. Applicant traverses, but believes the amendment to the claims should obviate this rejection. Reconsideration and withdrawal of the rejection is therefore requested.

V. Conclusion

Applicants submit that all claims are in condition for allowance, and an early notification to that effect is earnestly solicited. Should the examiner have any questions regarding this submission, a telephone call to the undersigned is invited.

Respectfully submitted,



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